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personal representative of the estate of Leon Ross and in his
capacity as personal representative of the estate of Miriam Ross*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MITCHELL ROSS, in his capacity as personal
representative and primary beneficiary of the estate
of Leon Ross and in his capacity as personal
representative and primary beneficiary of the estate
of Miriam Ross,

Defendant.

Adv. Pro. No. 10-04723 (SMB)

NOTICE OF DEFENDANT MITCHELL ROSS'

MOTION TO DISMISS THE AMENDED COMPLAINT

PLEASE TAKE NOTICE THAT Defendant Mitchell Ross hereby moves for an Order dismissing the Amended Complaint in this adversary proceeding pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (made applicable by Fed. R. Bankr. P. 7012).

The Motion is based upon accompanying Memorandum of Law and the exhibits thereto, all pleadings and papers filed in these proceedings, and any other matters that may properly come before the Court in connection with this Motion.

The Motion will be scheduled for further briefing, oral argument, and submission in accordance with the Litigation Case Management Procedures previously adopted by the Court.

Dated: New York, New York
October 24, 2014

s/ Matthew A. Kupillas
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